

PROCEEDINGS/MINUTES OF CITY COUNCIL

...June 1, 2017...

Council convened at 2:04 p.m., Mayor John Cranley, Presiding. Present were Councilmembers Flynn, Mann, Murray, Seelbach, Simpson, Sittenfeld, Smitherman, Winburn and Young (In @ 2:05 p.m.).

Also in attendance were City Manager Harry Black, City Solicitor Paula Boggs Muething and Clerk of Council Melissa Autry.

Council observed a moment of silent prayer and recited the Pledge of Allegiance to the Flag.

There being no objection, Minutes of the previous session of Council were ordered Filed.

Items on the Council Calendar and items presented By-Leaved were disposed of as follows:

MAYOR CRANLEY

Item #: 201700804

ORDINANCE(EMERGENCY) submitted by Mayor John Cranley, from Paula Boggs Muething, City Solicitor, on May 25, 2017, AUTHORIZING the transfer of and return to source Fund 050 the amount of \$250,000 from the Department of Public Health FY 2017 General Fund operating account, 050x261x7400; AUTHORIZING the transfer of and return to source Fund 758 the sum of \$750,000 from various capital improvement program project accounts for the purpose of closing out or decreasing certain existing capital improvement program project accounts, according to Section 1 of the attached Schedule of Transfer; and further AUTHORIZING the transfer and appropriation of the sum of \$1,000,000 from the unappropriated surplus of Funds 050 and 758 to an existing capital improvement program project account all for the purpose of providing an additional \$1,000,0000 in resources to the Avondale Town Center redevelopment project, in accordance with Section 2 of the attached Schedule of Transfer.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

MR. FLYNN

Item #: 201700830

MOTION, (VERSION B) submitted by Councilmember Flynn, We move that the City Administration, working cooperatively and interdepartmentally, create an Urban AgricultureStat. Departments within the city should include, without limitation; the Law Department; the Greater Cincinnati Water Works ("GCWW"); the Office of Performance and Data Analytics; the Department of Health; the Office of Environment and Sustainability; the Department of Community and Economic Development; and the Department of Planning. Initial objectives should include the following: 1. Creating a plan for incorporating Urban Agriculture into all aspects of city work; 2. Create and publish a map, utilizing the resources of CAGIS, to determine the land owned by, or the under control of, the City of Cincinnati, Hamilton County (within the limits of the City of Cincinnati), the Port of Greater Cincinnati Development Authority; Cincinnati

Public Schools; and the Cincinnati Metropolitan Housing Authority, which is arable and suitable for Urban Agriculture, and further identify parcels containing vacant buildings that may be appropriate for aquaponics and other indoor agriculture ("Potential Farm Parcels"); 3. Create a pilot project that can be instituted this year to identify 10 viable parcels that can be put into productive urban farming in 2017 (preferably including vacant land in English Woods; Winton Hills; East Price Hill; and Walnut Hills); and 4. Identify the benefits and any potential costs for an expanded system of Urban Agriculture in the City of Cincinnati. (STATEMENT ATTACHED) (BALANCE OF MOTION ON FILE IN THE CLERK'S OFFICE)

Status/Recommendations:

ADOPTED

*** ADOPTED

MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y

MR. MANN

Item #: 201700810

COMMUNICATION, submitted by Vice Mayor Mann, from Beth Robinson, President & CEO, Uptown Consortium, Inc., and Kevin Wright Executive Director, Walnut Hills Redevelopment Foundation, supporting the funding design work for a Conceptual Implementation Framework for public streetscape improvements in the MLK Corridor.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201700811

COMMUNICATION, submitted by Vice Mayor Mann from Eric Urbas, President, Clifton Town Meeting, supporting completion of Phases 1B and 2 of the Central Parkway Protected Bike Lanes Project.

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

MS. SIMPSON

Item #: 201700812

COMMUNICATION, submitted by Councilmember Simpson, from Lewis Seiler, Chair-Hillside Committee, East End Area Council, regarding Riverside Drive Landslide.

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

CITY MANAGER

Item #: 201700797

ORDINANCE submitted by Harry Black, City Manager, on 6/1/2017, establishing new capital improvement program project account no. 980x233x172326, "Auburn Avenue Improvements Grants," and no. 980x233x172327, "Galbraith Road Bridge Grants"; AUTHORIZING the City Manager to accept and appropriate grants totaling \$6,181,000 from the State Capital Improvement Program or the Local Transportation Improvement Program as awarded by the Ohio Public Works Commission Funding Round 31, according to the attached table; AUTHORIZING the City Manager to accept and appropriate a zero-interest loan in the amount of up to \$2,125,000 for the purpose of providing a local match for these grant resources, according to the attached table; and further AUTHORIZING the City Manager to enter into any agreements necessary for the receipt and administration of these grant resources.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201700798

ORDINANCE submitted by Harry Black, City Manager, on 6/1/2017, authorizing the City Manager to apply for grants from the Congestion Mitigation/Air Quality Program ("CMAQ") through the Ohio-Kentucky-Indiana Regional Council of Governments awarded by the Ohio Statewide Urban CMAQ Committee to provide for the timely completion of several transportation projects managed by the Department of Transportation & Engineering.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201700799

ORDINANCE submitted by Harry Black, City Manager, on 6/1/2017, modifying the provisions of Chapter 723, "Streets and Sidewalks, Use Regulations," of Title VII, "General Regulations," of the Cincinnati Municipal Code by AMENDING Section 723-7, "Park Benches," in order to allow park benches qualifying for a revocable street privilege to be placed in Planned Development Districts.

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

Item #: 201700801

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 6/1/2017, approving and authorizing the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with Broadway Building Investors, Ltd., thereby authorizing a 12-year tax exemption for 100% of the value of the improvements made to real property located at 824 Broadway Street in the Downtown neighborhood of Cincinnati in connection with the remodeling of the building on the property into residential space, which remodeling shall be completed at a total construction cost of approximately \$8,650,000.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201700802

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 6/1/2017, approving and authorizing the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with Gardner Capital Development Ohio, LLC, thereby authorizing a 15-year tax exemption for 100% of the value of the improvements made to real property located at 1811 Losantiville Avenue in the Roselawn neighborhood of Cincinnati in connection with the construction of a building containing (a) 50 senior affordable housing units and common space with an aggregate of 52,254 square feet and (b) 6,822 square feet of community-focused commercial space located on such real property, which construction shall be completed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards or Living Building Challenge standards, in each case as more particularly specified in the agreement, at a total construction cost of approximately \$8,050,000.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201700803

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 6/1/2017, approving and authorizing the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with Paramount Redevelopment Group, LLC, thereby authorizing a 12-year tax exemption for 100% of the value of the improvements made to the real property located at 737 E. McMillan Street in the Walnut Hills neighborhood of Cincinnati in connection with the remodeling of the building thereon into residential space, which remodeling shall be completed at a total construction cost of approximately \$1,143,775.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201700814

ORDINANCE submitted by Harry Black, City Manager, on 6/1/2017, modifying Chapter 879, "Drug Paraphernalia," of the Cincinnati Municipal Code, by amending the provisions of Section 879-7, "Possession, Manufacture or Sale of Drug Paraphernalia," to permit persons to possess, use, and manipulate medical marijuana-related paraphernalia to the same extent its possession, use, and manipulation is permitted or licensed pursuant to the laws of the State of Ohio.

Status/Recommendations:

LAW & PUBLIC SAFETY COMMITTEE

Item #: 201700815

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager on 6/1/2017, establishing a moratorium on the issuance of all permits, licenses, and similar approvals that would allow cultivators, processors, laboratories, or retail dispensaries of medical marijuana to establish facilities in SF, "Single-Family," and RM, "Residential Multi-Family," zoning districts in the City of Cincinnati for a period of twelve months commencing on the effective date of this ordinance.

Status/Recommendations:

LAW & PUBLIC SAFETY COMMITTEE

Item #: 201700819

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 6/1/2017, dedicating, accepting and confirming the dedication of certain City-owned real property to public use for right-of-way purposes in accordance with the plats entitled "Dedication Plat East Court Street 0.004 Acres," "Dedication Plat Gilbert Avenue 0.098 Acres," "Dedication Plat Eggleston Avenue 0.138 Acres," "Dedication Plat Reading Road 0.161 Acres," "Dedication Plat Reading Road 0.326 Acres" and "Dedication Plat Reading Road 0.628 Acres," as part of the Jack Cincinnati Casino development in downtown Cincinnati.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201700796

REPORT, dated 6/1/2017, submitted by Harry Black, City Manager, regarding Calendar Year 2017-2018 SORTA Biennial Funding Request.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201700805

REPORT, dated 6/1/2017, submitted by Harry Black, City Manager, regarding Department of Finance Reports for the month ended April 30, 2017.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201700806

REPORT, dated 6/1/2017, submitted by Harry Black, City Manager, regarding tree pruning. (SEE DOCUMENT #201700679 FOR COMMUNICATION)

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

Item #: 201700807

REPORT, dated 6/1/2017, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Walk for Wishes.

Status/Recommendations:

FILE

*** FILED

Item #: 201700808

REPORT, dated 6/1/2017, submitted by Harry Black, City Manager, regarding Special Event Permit Application for One Love Fest.

Status/Recommendations:

FILE

*** FILED

Item #: 201700809

REPORT, dated 6/1/2017, submitted by Harry Black, City Manager, regarding Medical Marijuana and City Licensing.

Status/Recommendations:

LAW & PUBLIC SAFETY COMMITTEE

NEIGHBORHOODS COMMITTEE

Item #: 201700738

MOTION, submitted by Vice Mayor Mann, Councilmembers Flynn, Seelbach, Young and Sittenfeld, WE MOVE that the City install a light pole and light in the right of way in the bottom of the hollow in Sayler Park between Parkland Ave and Revere Ave. WE FURTHER MOVE the City Administration provide funds for ongoing cost of electricity for the light pole. WE FURTHER MOVE that City Administration work with the Sayler Park Community Council to finalize details to ensure the work done by the City will best meet the needs of the Sayler Park community. (BALANCE OF MOTION ON FILE IN THE CLERK'S OFFICE)

Status/Recommendations:

ADOPT

*** ADOPTED

MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y

Item #: 201700739

MOTION, submitted by Vice Mayor Mann, Councilmembers Flynn and Sittenfeld, We move that the City Administration, working cooperatively and interdepartmentally, create an Urban Agriculture Stat. Departments within the city should include, without limitation; the Law Department; the Greater Cincinnati Water Works Department ("GCWW"); the Office of Performance and Data Analytics; the Department of Health; the Office of Environment and Sustainability; the Department of Community and Economic Department; and the Department of Planning. Initial objectives should include the following: 1. Creating a plan for incorporating Urban Agriculture into all aspects of city work; 2. Create and publish a map, utilizing the resources of CAGIS, to determine the land owned by, or the under control of, the City of Cincinnati, Hamilton County (within the limits of the City of Cincinnati), the Port of Greater Cincinnati Development Authority, Cincinnati Public Schools; and the Cincinnati Metropolitan Housing Authority, which is arable and suitable for Urban Agriculture ("Potential Farm Parcels"); 3. Create a pilot project that can be instituted this year to identify 10 viable parcels that can be put into productive urban farming in 2017 (preferably including vacant land in English Woods; Winton Hills; and East Price Hill); and 4. Identify the benefits and any potential costs for an expanded system of Urban Agriculture in the City of Cincinnati. (STATEMENT ATTACHED) (BALANCE OF MOTION ON FILE IN THE CLERK'S OFFICE)

Status/Recommendations:

ADOPT

*** FILED

Item #: 201700652

ORDINANCE, (EMERGENCY) submitted by Harry Black, City Manager, 4/21/2017, approving a major amendment to the concept plan and development program statement governing Planned Development No. 72 to enlarge the planned development by approximately 0.5235 acres to include certain real property located at 1525-1529 Gilpin Avenue, thereby rezoning the real property from the RMX, "Residential Mixed," and CC-M, "Commercial Community Mixed," zoning districts to Planned Development District No. 72.(B VERSION)

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0119-2017

MR. SITTENFELD Y

MR. SMITHERMAN Y

MR. WINBURN Y

MR. YOUNG Y

MR. FLYNN Y

MR. MANN Y

MS. MURRAY Y

MR. SEELBACH Y

MS. SIMPSON Y

Item #: 201700688

ORDINANCE submitted by Harry Black, City Manager, on 5/10/2017, amending the official zoning map of the City of Cincinnati to rezone the real property located at 806-808 Oak Street in the Walnut Hills neighborhood from the RMX, "Residential Mixed," zoning district to the CN-P, "Commercial Neighborhood-Pedestrian," zoning district.

Status/Recommendations:

PASS

*** PASSED 0117-2017

MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y

Item #: 201700704

ORDINANCE submitted by Harry Black, City Manager, on 5/10/2017, amending the official zoning map of the City of Cincinnati to rezone the real property located at 628-632 Neave Street in the Lower Price Hill neighborhood from the RM-0.7, "Residential Mixed," zoning district to the MG, "Manufacturing General," zoning district.

Status/Recommendations:

PASS

*** PASSED 0118-2017

MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y

Item #: 201700716

REPORT, dated 5/17/2017, submitted by Harry Black, City Manager, regarding Special Assessment for Mulberry/Peete Street Retaining Wall. (SEE DOCUMENT #201700482 FOR MOTION)

Status/Recommendations:

APPROVE & FILE

*** APPROVED AND FILED